



petition office

23
DAG
A

Docket No.: FAPESP 203
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

In re Patent Application of:
Adilson LEITE *et al.*

SEP 28 2004

Allowed: March 16, 2004
OFFICE OF PETITIONS

Application No.: 09/870,498

Filed: June 1, 2001

Art Unit: 1654

For: ANTIMICROBIAL PEPTIDES AND
METHODS FOR IDENTIFYING AND USING
SUCH PEPTIDES

Examiner: L. N. Leary

**PETITION TO WITHDRAW APPLICATION FROM
ISSUE PURSUANT TO 37 CFR 1.313(c)(2)**

MS 313(c)
Commissioner for Patents
Crystal Plaza 4, Room 3C23
Alexandria, VA 22313

Dear Sir:

The issue fee has been paid in the above-identified application but a patent has not yet issued. Applicants petition to withdraw the application from issue in accordance with 37 C.F.R. 1.313(c)(2) for consideration of a Request for Continued Examination (RCE) in compliance with 37 C.F.R. 1.114. The RCE is submitted concurrently herewith.

The RCE is filed with an Information Disclosure Statement and with copies of the references cited in the IDS. The references were cited against original claims 1-4 or 29 in a partial search report, which issued August 11, 2004 in a related foreign application. As such, applicants wish to make these references of record in this application in compliance with their ongoing duty of disclosure.

Applicants respectfully request that this petition be granted.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this

09/24/2004 HVUONG1 00000027 09870498

01 FC:1460

130.00 OP

application by this firm) to our Deposit Account No. 06-2375, under Order No. FAPESP 203/10026221.

Dated: September 23, 2004

Respectfully submitted,

By 
Mary Anne Schofield

Registration No.: 36,669

FULBRIGHT & JAWORSKI L.L.P.

801 Pennsylvania Avenue, N.W.

Washington, DC 20004-2623

(202) 662-0200

(202) 662-4643 (Fax)

Attorney for Applicant